

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MIGUEL THOMAS,

Defendant.

CASE NOS. 2:22-cr-00179-LK
2:22-cr-00180-LK

FINAL ORDER OF FORFEITURE

This matter comes before the Court on the Government's Motion for a Final Order of Forfeiture, *United States v. Cruz*, No. 2:22-cr-00179-LK, Dkt. No. 127 (W.D. Wash. Sep. 30, 2024); *United States v. Paleo*, No. 2:22-cr-00180-LK, Dkt. No. 333 (W.D. Wash. Sep. 30, 2024), seeking to forfeit to the United States Defendant Miguel Thomas's interest in the following property (the "Subject Property"):

- a. The following firearms, associated ammunition, magazines, and accessories, seized on or about October 25, 2022, from Mr. Thomas's residence located at 6536 21st Avenue SW, Seattle, Washington:

1. One USA Military Surplus Model 1903, 30-06 caliber rifles, bearing serial number 450573;
2. One Thompson/Center Arms Co. .58 caliber rifle, bearing serial number L 724;
3. One National Ordnance, Model 1903A3, 30-06 caliber rifle, bearing serial number 5006999;
4. One Remington Arms Company Inc, Model II, unknown caliber, bearing serial number 249130;
5. One Manufacture France, Model M1936, 75 caliber rifle with strap, bearing an unknown serial number;
6. One Enfield, Model NO4MKI, unknown caliber rifle, bearing serial number 83L9225;
7. One USA Military Surplus, Model 1903, 30-06 caliber rifle, bearing serial number 1483164;
8. One Marlin Firearms Co. Model 882, 22 caliber rifle with scope, bearing serial number 98702271;
9. One unknown make, model, and caliber rifle, bearing an unknown serial number;
10. One Winchester, Model 290, 22 caliber rifle, bearing serial number B882285;
11. One Mauser, Model 1895, 257 caliber rifle, bearing serial number E8095;
12. One Harrington & Richardson Model 251, 20-gauge shotgun, bearing serial number 29-050999;
13. One Enfield, Model NO4MKI, 303 caliber rifle with strap, bearing serial number OC47730;

14. One Springfield Armory (HS Produkt) Model XD9 Compact, 9 caliber pistol, bearing serial number GM820304, with loaded magazine;

15. One Palmetto State Armory, Model M1911, 45 caliber pistol, bearing serial number PSB000906 on the lower piece, with a Rock Island Armory slide attached, and associated magazine;

16. Five rounds of 9mm ammunition; and

17. One loaded magazine with .380 caliber ammunition.

b. The following property seized on or about October 25, 2022, from a residence used by Mr. Thomas, located at 14420 34th Avenue S, Apt. 2, Tukwila, Washington: ¹

1. \$1,539 in U.S. currency.

c. One Beretta APX 9mm pistol, serial number 153080X, with associated ammunition, that Mr. Thomas possessed on May 19, 2022.

The Court, having reviewed the Government's Motion, as well as the other papers and pleadings filed in this matter, hereby finds that entry of a Final Order of Forfeiture is appropriate for the following reasons:

- On February 20, 2024, the Court entered a Preliminary Order of Forfeiture finding the Subject Property forfeitable pursuant to 21 U.S.C. § 853(a) and 18 U.S.C. § 924(d), by way of 28 U.S.C. § 2461(c), as property that facilitated, and/or that constitutes proceeds of, Mr. Thomas's commission of (1) Carrying a Firearm During and in Relation to a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i), as charged in Count 3 of the Indictment in Case No. 22-cr-00179; and

¹ The Government's motion does not address the Ruger SP101 .22 caliber Revolver, bearing serial number 577-04336, with associated ammunition and magazines, which was also preliminarily forfeited from Defendant Thomas, because ancillary forfeiture proceedings to resolve a third-party claim to that firearm are ongoing. *See* No. 2:22-cr-00180-LK, Dkt. Nos. 301, 324 (W.D. Wash.); No. 22-cr-00179-LK, Dkt. Nos. 121, 125 (W.D. Wash.).

(2) Conspiracy to Distribute Controlled Substances in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(C), and 846, a lesser-included offense of that charged in Count 1 of the Indictment in Case No. 22-cr-00180. No. 2:22-cr-00180-LK, Dkt. No. 233 at 4 (W.D. Wash. Feb. 20, 2024); No. 2:22-cr-00179-LK, Dkt. No. 92 at 4 (W.D. Wash. Feb. 20, 2024).

- Thereafter, the United States published notice of the pending forfeiture as required by 21 U.S.C. § 853(n)(1) and Federal Rule of Criminal Procedure 32.2(b)(6)(C), No. 2:22-cr-00180-LK, Dkt. No. 244 (W.D. Wash. Mar. 25, 2024); No. 2:22-cr-00179-LK, Dkt. No. 111 (W.D. Wash. Mar. 25, 2024), and provided direct notice to 13 potential claimants as required by Federal Rule of Criminal Procedure 32.2(b)(6)(A), *see* No. 2:22-cr-00180-LK, Dkt. No. 334 at 1–5 (W.D. Wash. Sept. 30, 2024); No. 22-cr-00179-LK, Dkt. No. 128 at 1–5 (W.D. Wash. Sept. 30, 2024).
- The time for filing third-party claims to the Subject Property has expired, and none were filed. *See* No. 2:22-cr-00180-LK, Dkt. No. 333 at 6 (W.D. Wash. Sept. 30, 2024); No. 2:22-cr-00179-LK, Dkt. No. 127 at 6 (W.D. Wash. Sept. 30, 2024).

Now, therefore, the Court ORDERS the following:

1. No right, title, or interest in the Subject Property exists in any party other than the United States;
2. The Subject Property is fully and finally condemned and forfeited, in its entirety, to the United States;
3. The United States Department of Justice, Federal Bureau of Investigation, and/or their representatives, are authorized to dispose of the Subject Property in accordance with the law; and

4. The Court will retain jurisdiction for the purpose of enforcing the Final Order of Forfeiture as necessary pursuant to Federal Rule of Criminal Procedure 32.2(e).

IT IS SO ORDERED.

Dated this 22nd day of October, 2024.

Lauren King

Lauren King
United States District Judge